



Journal of the Senate

State of Indiana

114th General Assembly

First Regular Session

Thirty-third Meeting Day

Monday Afternoon

March 21, 2005

The Senate convened at 1:31 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

Prayer was offered by Allie V. Craycraft, Jr.

The Pledge of Allegiance to the Flag was led by Senator Craycraft.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Antich-Carr	Lubbers
Bowser	Lutz
Bray	Meeks
Breaux	Merritt
Broden	Miller
Clark	Mishler
Craycraft	Mrvan
Dillon	Nugent
Drozda	Paul
Ford	Riegsecker
Gard	Rogers
Garton	Server
Harrison	Simpson
Heinold	Sipes
Hershman	Skinner
Howard	Smith <input checked="" type="checkbox"/>
Hume	Steele
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 293: present 49; excused 1. [Note: A ☒ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 49

Senate Concurrent Resolution 49, introduced by Senators Lubbers and Clark:

A CONCURRENT RESOLUTION honoring the North Central High School Girls Basketball Team for winning the 2005 IHSA Class 4A Championship.

Whereas, The North Central High School Girls Basketball Team enjoyed a season record of 20-7 and were Co-Champions of the Metropolitan Interscholastic Conference;

Whereas, On March 5, 2005, North Central High School triumphed over Gary West Side by a score of 57-54 in the championship game at Conseco Fieldhouse in Indianapolis, becoming only the second team to win back-to-back Class 4A championships;

Whereas, Head Coach Alan Vickrey was named Coach of the Year and Junior Guard Amber Harris was named Player of the Year by the Indianapolis Star; and

Whereas, In addition to all of their accomplishments on the court, the team demonstrated a commitment to academics by maintaining an average GPA of 3.27: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the North Central High School Girls Basketball Team for their outstanding season culminating with the IHSA Class 4A State Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Principal C.E. Quandt, Athletic Director Charles Jones, Head Coach Alan Vickrey, and each member of the championship team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Noe and Orentlicher.

Senate Concurrent Resolution 50

Senate Concurrent Resolution 50, introduced by Senators Lubbers and Clark:

A CONCURRENT RESOLUTION honoring the North Central High School Boys Swimming and Diving Team for winning the 68th Annual IHSA Boys Swimming and Diving State Finals.

Whereas, The North Central High School Boys Swimming and Diving Team enjoyed a season record of 14-1 and were the Metropolitan Interscholastic Conference and Marion County Champions;

Whereas, On February 26, 2005, North Central High School won the 400 freestyle relay en route to scoring 221 points to win

the state championship at the IU Natatorium in Indianapolis;

Whereas, 2005 marks the team's second state championship, and its first state championship since 1983; and

Whereas, In addition to all of their accomplishments in the pool, the team demonstrated a commitment to academics by maintaining an average GPA of 3.51; Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the North Central High School Boys Swimming and Diving Team for their outstanding season culminating with the IHSAA Boys Swimming and Diving State Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Principal C.E. Quandt, Athletic Director Charles Jones, Head Coach Mark Hesse, and each member of the championship team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Noe and Orentlicher.

Senate Concurrent Resolution 38

Senate Concurrent Resolution 38, introduced by Senator Clark:

A CONCURRENT RESOLUTION honoring Daniel Kent as a top Indiana youth volunteer.

Whereas, Daniel Kent is a sophomore at Brebeuf Jesuit Preparatory School;

Whereas, Mr. Kent created a nonprofit corporation to promote computer and Internet literacy among senior citizens. He has taught both seniors and elementary school students how to use computers and the Internet;

Whereas, Mr. Kent founded "Senior Connects" to build computer labs and teach Internet classes in senior centers and assisted-care facilities;

Whereas, Senior Connects has collected over \$110,000 in donations of funds and equipment, has built or enhanced computer labs in 61 senior facilities, and taught basic e-mail and Internet skills to hundreds of senior citizens; and

Whereas, In recognition of Mr. Kent's devotion and effort, Prudential Financial, in partnership with the National Association of Secondary School Principals has selected Mr. Kent as an Indiana Top Youth Volunteer: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Daniel Kent for his exceptional volunteer spirit.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Daniel Kent, Andrew Noga, Principal of Brebeuf Jesuit Preparatory School, Harold Banks, Prudential Financial, and Michelle White, NASSP.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Torr.

Senate Resolution 18

Senate Resolution 18, introduced by Senator R. Young:

A SENATE RESOLUTION honoring Miss Claire Lange, a six year old kindergarten student, from Ferdinand, Indiana for being selected as the American Legion Auxiliary's District 8 Little Miss Poppy.

Whereas, The American Legion, an organization of the United States veterans of war, that was chartered by the United States Congress in 1919, with its primary mission to help American veterans, their families, and American children and youth;

Whereas, Organizations affiliated with the American Legion include the American Legion Auxiliary for women of veterans' families and the Sons of the American Legion;

Whereas, The American Legion has founded programs for the benefit of children and youths, including the American Legion Boys State/Boys Nation, American Legion Baseball, the American Legion National High School Oratorical Contest, and the American Legion Junior Shooting Sports competition;

Whereas, Miss Lange competed and won at the district level of the American Legion Auxiliary, the Little Miss Poppy title, January 9, 2005, in Charlestown, Indiana, and as part of her responsibility as Little Miss Poppy, Miss Lange must deliver the American Legion Auxiliary Memorial Poppy story to organizations around the state, and

Whereas, Miss Lange is a junior member of the Santa Claus Unit 242 of the American Legion Auxiliary and a Daisy with the Girl Scouts, and a past Honorary Department Junior Sargent of Arms: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Senate of the General Assembly congratulate and honor Miss Claire Lange for her distinguished

service to the American Legion Auxiliary, and listen to her Poppy story.

SECTION 2. That the Secretary of the Senate shall transmit a copy of the Resolution to Miss Lange and her parents, Darryl and Lora Lange and her grandmother, Susan Reynolds.

The resolution was read in full and adopted by voice vote.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Economic Development and Technology, to which was referred Engrossed House Bill 1135, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 4, delete **"an LSA document number under this section."** and insert **"a written or an electronic authorization to proceed from the publisher under subsection (g)."**

Page 2, line 33, delete **"estimated date that the material will"** and insert **"date that the publisher intends to include the material in the Indiana Register. After:**

- (1) establishing the intended publication date; and**
- (2) receiving the public hearing information specified in subsection (d) from the agency;**

the publisher shall provide a written or an electronic mail authorization to proceed to the agency.

SECTION 3. IC 4-22-2-31 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 31. (a) After an agency has complied with section 29 of this chapter, or with IC 13-14-9-9(1) or IC 13-14-9-9(2), as applicable, the agency shall submit its rule to the attorney general for approval. The agency shall submit **the following to the attorney general:**

- (1) The rule in the form required by section 20 of this chapter. and with:**
- (2) The documents required by section 21 of this chapter.**
- (3) Written authorization to proceed issued by the publisher under section 24(g) of this chapter.**
- (4) Any other documents specified by the attorney general.**

(b) The attorney general shall determine the number of copies of the rule. ~~and other documents to be submitted under this section."~~

Page 2, delete lines 34 through 36.

Page 3, line 37, after **"only."** insert **"However, the publisher shall distribute a printed copy of the Indiana Register to each federal depository library in Indiana.**

(c) The publisher may meet the requirement to publish the Indiana Register electronically by permanently publishing a copy of the Indiana Register on the Internet."

Page 4, line 8, after **"only."** insert **"However, the publisher shall distribute a printed copy of the Indiana Administrative Code to each federal depository library in Indiana.**

(d) The publisher may meet the requirement to publish the Indiana Administrative Code electronically by permanently publishing a copy of the Indiana Administrative Code on the

Internet."

Page 4, after line 20, begin a new paragraph and insert:

"SECTION 8. IC 13-14-9-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) Except as provided in subsection (b), the department shall provide notice in the Indiana Register of the first public comment period required by section 2 of this chapter. A notice provided under this section must do the following:

- (1) Identify the authority under which the proposed rule is to be adopted.**
- (2) Describe the subject matter and the basic purpose of the proposed rule. The description required by this subdivision must include a listing of all alternatives being considered by the department at the time of the notice and must set forth the basis for each alternative.**
- (3) Describe the relevant statutory or regulatory requirements or restrictions relating to the subject matter of the proposed rule that exist before the adoption of the proposed rule.**
- (4) Request the submission of alternative ways to achieve the purpose of the proposed rule.**
- (5) Request the submission of comments, including suggestions of specific language for the proposed rule.**
- (6) Include a detailed statement of the issue to be addressed by adoption of the proposed rule.**

(b) This section does not apply to rules adopted under IC 13-18-22-2, IC 13-18-22-3, or IC 13-18-22-4.

(c) The notice required under subsection (a) shall be published electronically in the Indiana Register under procedures established by the publisher.

SECTION 9. IC 13-14-9-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. **(a)** The department shall provide notice in the Indiana Register of the second public comment period required by section 2 of this chapter. A notice provided under this section must do the following:

- (1) Contain the full text of the proposed rule, as provided under IC 4-22-2-24(c).**
- (2) Contain a summary of the response of the department to written comments submitted under section 3 of this chapter during the first public comment period.**
- (3) Request the submission of comments, including suggestions of specific amendments to the language contained in the proposed rule.**
- (4) Contain the full text of the commissioner's written findings under section 7 of this chapter, if applicable.**
- (5) Identify each element of the proposed rule that imposes a restriction or requirement on persons to whom the proposed rule applies that is not imposed under federal law.**
- (6) With respect to each element identified under subdivision (5), identify:**
 - (A) the environmental circumstance or hazard that dictates the imposition of the proposed restriction or requirement to protect human health and the environment;**
 - (B) examples in which federal law is inadequate to provide the protection referred to in clause (A); and**

(C) the:

- (i) estimated fiscal impact; and
- (ii) expected benefits;

based on the extent to which the proposed rule exceeds the requirements of federal law.

(7) For any element of the proposed rule that imposes a restriction or requirement that is not imposed under federal law, describe the availability for public inspection of all materials relied upon by the department in the development of the proposed rule, including, if applicable:

- (A) health criteria;
- (B) analytical methods;
- (C) treatment technology;
- (D) economic impact data;
- (E) environmental assessment data;
- (F) analyses of methods to effectively implement the proposed rule; and
- (G) other background data.

(b) The notice required under subsection (a) shall be published electronically in the Indiana Register under procedures established by the publisher."

Renumber all SECTIONS consecutively.

(Reference is to HB 1135 as printed February 9, 2005.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

FORD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Engrossed House Bill 1765, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 10. IC 14-22-11-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) This section does not apply to the following:

~~(1) A person who is:~~

~~(A) a resident of Indiana; and~~

~~(B) at least sixty-five (65) years of age.~~

~~(2) (1) A person who is less than seventeen (17) years of age.~~

~~(3) (2) A person who is legally blind.~~

~~(4) (3) A person who is a resident patient of a state mental institution.~~

~~(5) (4) A person who is:~~

~~(A) a resident of a health facility (as defined in IC 16-18-2-167) licensed in Indiana; and~~

~~(B) taking part in a supervised activity of the health facility.~~

~~(6) (5) A person who:~~

~~(A) is a resident of Indiana; and~~

~~(B) has a developmental disability (as defined by~~

IC 12-7-2-61).

~~(7) (6) A person whose only participation in fishing is to assist an individual described in subdivision (2), (3), (4), or (5). or~~
~~(6):~~

~~(8) (7) A resident of Indiana who fishes during a free sport fishing day designated under IC 14-22-18.~~

(b) Every person must have a fishing license in the person's possession when fishing in:

(1) waters containing state owned fish;

(2) waters of the state; or

(3) boundary waters of the state.

(c) Every person must have a valid trout-salmon stamp in the person's possession to legally fish for or take trout or salmon in:

(1) waters containing state owned fish;

(2) waters of the state; or

(3) boundary waters of the state.

SECTION 11. IC 14-22-12-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The department may issue the following licenses and, except as provided in section 1.5 of this chapter and subject to subsection (b), shall charge the following minimum license fees to hunt, trap, or fish in Indiana:

(1) A resident yearly license to fish, eight dollars and seventy-five cents (\$8.75).

(2) A resident yearly license to hunt, eight dollars and seventy-five cents (\$8.75).

(3) A resident yearly license to hunt and fish, thirteen dollars and seventy-five cents (\$13.75).

(4) A resident yearly license to trap, eight dollars and seventy-five cents (\$8.75).

(5) A nonresident yearly license to fish, twenty-four dollars and seventy-five cents (\$24.75).

(6) A nonresident yearly license to hunt, sixty dollars and seventy-five cents (\$60.75).

(7) A nonresident yearly license to trap, one hundred seventeen dollars and seventy-five cents (\$117.75). However, a license may not be issued to a resident of another state if that state does not give reciprocity rights to Indiana residents similar to those nonresident trapping privileges extended in Indiana.

(8) A resident or nonresident license to fish, including for trout and salmon, for one (1) day only, four dollars and seventy-five cents (\$4.75).

(9) A nonresident license to fish, excluding for trout and salmon, for seven (7) days only, twelve dollars and seventy-five cents (\$12.75).

(10) A nonresident license to hunt for five (5) consecutive days only, twenty-five dollars and seventy-five cents (\$25.75).

(11) A resident or nonresident yearly stamp to fish for trout and salmon, six dollars and seventy-five cents (\$6.75).

(12) A resident yearly license to take a deer with a shotgun, muzzle loading gun, or handgun, thirteen dollars and seventy-five cents (\$13.75).

(13) A resident yearly license to take a deer with a muzzle loading gun, thirteen dollars and seventy-five cents (\$13.75).

- (14) A resident yearly license to take a deer with a bow and arrow, thirteen dollars and seventy-five cents (\$13.75).
- (15) A nonresident yearly license to take a deer with a shotgun, muzzle loading gun, or handgun, one hundred twenty dollars and seventy-five cents (\$120.75).
- (16) A nonresident yearly license to take a deer with a muzzle loading gun, one hundred twenty dollars and seventy-five cents (\$120.75).
- (17) A nonresident yearly license to take a deer with a bow and arrow, one hundred twenty dollars and seventy-five cents (\$120.75).
- (18) A resident license to take an extra deer by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, thirteen dollars and seventy-five cents (\$13.75).
- (19) A nonresident license to take an extra deer by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, one hundred twenty dollars and seventy-five cents (\$120.75).
- (20) A resident yearly license to take a turkey, fourteen dollars and seventy-five cents (\$14.75).
- (21) A nonresident yearly license to take a turkey, one hundred fourteen dollars and seventy-five cents (\$114.75). However, if the state of residence of the nonresident applicant requires that before a resident of Indiana may take turkey in that state the resident of Indiana must also purchase another license in addition to a nonresident license to take turkey, the applicant must also purchase a nonresident yearly license to hunt under this section.
- (22) If a fall wild turkey season is established, a resident license to take an extra turkey by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, fourteen dollars and seventy-five cents (\$14.75).
- (23) If a fall wild turkey season is established, a nonresident license to take an extra turkey by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, one hundred fourteen dollars and seventy-five cents (\$114.75). However, if the state of residence of the nonresident applicant requires that before a resident of Indiana may take turkey in that state the resident of Indiana must also purchase another license in addition to a nonresident license to take turkey, the applicant must also purchase a nonresident yearly license to hunt under this section.
- (24) A resident youth yearly consolidated license to hunt and fish, six dollars (\$6). This license is subject to the following:
- (A) An applicant must be less than eighteen (18) years of age.
 - (B) The license is in lieu of the resident yearly license to hunt and fish and all other yearly licenses, stamps, or permits to hunt and fish for a specific species or by a specific means.
- (25) A resident senior yearly license to fish, three dollars**

(\$3). This license is subject to the following:

- (A) An applicant must be at least sixty (60) years of age.**
- (B) The license is in place of the resident yearly license to fish and all other yearly licenses, stamps, or permits to fish for a specific species or by a specific means.**

(b) The commission may set license fees to hunt, trap, or fish above the minimum fees established under subsection (a)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1765 as printed February 9, 2005.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WEATHERWAX, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Engrossed House Bill 1078, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 29, after "five" insert "**and a half**".

Page 2, line 30, delete "(\$0.05)" and insert "**(\$0.055)**".

(Reference is to HB 1078 as reprinted February 4, 2005.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WEATHERWAX, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Engrossed House Bill 1183, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

WEATHERWAX, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Engrossed House Bill 1059, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 32, delete "destruction or" and insert "**bulk neutralization and destruction of the agent VX referred to in 13-11-2-25(6).**".

Page 2, delete lines 33 through 34.

Page 2, line 35, delete "Before" and insert "**Subject to subsections (b) and (c), before**".

Page 2, line 36, after "file" insert "**the following**".

Page 2, line 37, delete "and".

Page 2, line 37, delete "the" and insert **", and the corresponding state agencies of each state through which the substance will be transported:"**.

Page 2, delete line 38.

Page 2, line 39, delete "transport risk analysis" and insert **"evaluation of potential transportation risks"**.

Page 2, line 42, delete "each type" and insert **"the most likely types"**.

Page 2, line 42, delete "incident" and insert **"incidents"**.

Page 3, line 14, delete "is appropriately trained and licensed;" and insert **":**

(i) has received United States Department of Transportation training and licensure; and

(ii) is familiar with the content of the plan;".

Page 3, line 15, delete "each part of".

Page 3, line 16, delete "facilities" and insert **"response personnel"**.

Page 3, line 16, delete "in place" and insert **"available"**.

Page 3, line 16, after "for" insert **":**".

Page 3, delete line 17.

Page 3, line 20, delete "security" and insert **"local law enforcement"**.

Page 3, delete lines 34 through 42, begin a new paragraph and insert:

"(c) A person must file an amended:

(1) evaluation of potential transportation risks; and

(2) transport safety plan;

under subsection (a) only if the proposed transport route changes.

Sec. 3. The transport of a substance referred to in section 2 of this chapter shall occur at times that provide maximum public safety."

Delete page 4.

Page 5, delete lines 1 through 2.

(Reference is to HB 1059 as printed February 18, 2005.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

GARD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Engrossed House Bill 1033, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning the environment.

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 12, begin a new paragraph and insert the following:

"SECTION 1. [EFFECTIVE UPON PASSAGE] (a) The environmental quality service council shall:".

Page 3, line 13, delete "(A) Investigate", begin a new line block indented and insert:

"(1) investigate".

Page 3, delete lines 15 through 42, begin a new line double block indented and insert:

"(A) biofuels such as biodiesel, ethanol, and other agricultural based alternatives to petroleum based fuels;

(B) clean coal technology;

(C) wind and solar power;

(D) waste tires; and

(E) other sources of renewable energy;

(2) give priority consideration to review of energy projects and policies that will provide maximum economic and environmental benefits to Indiana;

(3) include recommendations on the matters considered under this SECTION in the council's 2005 final report to the general assembly; and

(4) provide the council's 2005 final report to:

(A) the commissioner of agriculture; and

(B) the department of commerce.

(b) This SECTION expires January 1, 2006.

SECTION 2. An emergency is declared for this act."

Delete page 4.

(Reference is to HB 1033 as printed January 12, 2005.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

GARD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Engrossed House Bill 1653, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

GARD, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Resolution 20

Senate Resolution 20, introduced by Senator Nugent:

A SENATE RESOLUTION to honor the contributions and services provided by the Jennings County Chamber of Commerce on its 50th anniversary.

Whereas, For 50 years, the Jennings County Chamber of Commerce has worked to influence, develop and maintain a prosperous business climate;

Whereas, The Chamber is the county's primary protector of business interests and the collective voice for more than 300 firms on issues that affect their livelihood;

Whereas, As a non-profit, autonomous organization governed by a Board of Directors and staffed by an Executive Director, the Chamber's relationship with the government is strictly as an advocate on legislative or regulatory issues that could negatively affect business;

Whereas, The Jennings County Chamber of Commerce has provided numerous programs and resources to local businesses and the professional community to encourage networking among its members and to promote a healthy business environment; and

Whereas, The Chamber has been instrumental in enhancing prosperity in the Jennings County business community: Therefore,

*Be it resolved by the Senate of the
General Assembly of the State of Indiana:*

SECTION 1. That the Indiana Senate honors the Jennings County Chamber of Commerce on its 50th anniversary of serving local businesses.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the President of the Jennings County Chamber of Commerce.

The resolution was read in full and adopted by voice vote.

Senate Resolution 22

Senate Resolution 22, introduced by Senator Nugent:

A SENATE RESOLUTION to honor the 150th Anniversary of the Hillforest Victorian House Museum.

Whereas, The Hillforest mansion was built by Thomas Gaff in 1855, is located on 10 acres overlooking the Ohio River in Dearborn County;

Whereas, The distinctive two story mansion has a front porch that resembles a steamboat deck. In addition, the front room is made of tiger maple and mahogany, which would be extremely expensive to use for construction purposes today;

Whereas, Thomas Gaff's rise to wealth as an industrialist began in 1808, when he came from Scotland with his parents. In the 1840s, he helped establish and open a distillery in Aurora. When he died in 1884, the Hillforest mansion remained in the possession of the Gaff family;

Whereas, In time, the mansion became the headquarters of the Veterans of Foreign Wars. Then, when it came up for sale in 1955, a group of residents formed the Hillforest Historical Foundation to

buy the house, maintain it and open it to the public;

Whereas, In 1992, this piece of southeastern Indiana architecture became a National Historic Landmark: Therefore,

*Be it resolved by the Senate of the
General Assembly of the State of Indiana:*

SECTION 1. That the Indiana State Senate honors the Hillforest Historical Foundation on the 150th anniversary celebration of the construction of the Hillforest Victorian House Museum.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Board of Directors of the Hillforest Historical Foundation.

The resolution was read in full and adopted by voice vote.

House Concurrent Resolution 24

House Concurrent Resolution 24, sponsored by Senator Bray:

A CONCURRENT RESOLUTION honoring the Martinsville High School Academic Decathlon Team.

Whereas, The Martinsville High School Academic Decathlon Team captured the 2005 state championship in the large school division at Purdue University in West Lafayette, Indiana, finishing more than 2,000 points above its nearest competitor;

Whereas, This victory marks the eighth consecutive year that the Martinsville High School team has won the title;

Whereas, In addition to winning the team state championship with the highest overall score and 54 individual medals, the team earned the highest team score in seven of the ten testing categories: art, music, language/literature, speech, essay, social science, and Super Quiz;

Whereas, Individual medal winners include: Cassandra Adamson, gold medals in essay, art, and Super Quiz; Bobbi Klein, gold medal in Super Quiz and bronze medals in speech and music; Kelli Lang, gold medals in language/literature and Super Quiz, silver medals in art and speech, and bronze medal in music; Josh Blanford, gold medal in Super Quiz and bronze medals in art, speech, social science, and math; Sadie Davis, gold medals in essay, speech, music, social science, and Super Quiz and silver medals in overall individual, art, and language/literature; Andy Lane, gold medals in overall individual, interview, math, and Super Quiz and silver medals in art, speech, music, and social science; Cleveland Dietz, gold medals in overall individual, art, music, language/literature, social science, and Super Quiz and silver medals in economics and essay; Kyle Purdue, gold medal in Super Quiz, silver medals in art, music, and language/literature, and bronze medals in overall individual, social science, and economics; Caitlin Thompson, gold medal in Super Quiz, silver medals in

overall individual, language/literature, speech, and social science, and bronze medals in art and economics;

Whereas, As Indiana's highest scoring team, Martinsville High School won the right to represent Indiana in the national championship in Chicago, Illinois, where the team will compete against other state champions and the champion from British Columbia, Canada;

Whereas, Coach Wayne Babbitt emphasizes that, even though individuals on the team have accomplished great things, the team's success is due to the effort put forth by the entire team;

Whereas, Coach Babbitt also stresses that, in addition to the honor of winning, the value of the Academic Decathlon is that it prepares the participants for college and later life by emphasizing good study skills and learning new subjects; and

Whereas, This state title is a continuation of the long line of successes achieved by the Martinsville High School academic teams: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Martinsville High School Academic Decathlon Team for capturing the state championship for the large school division in the Hoosier Academic Decathlon state championship for the seventh consecutive year and wishes the team members continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to team members Kelli Lang, Cassandra Adamson, Bobbi Klein, Sadie Davis, Caitlin Thompson, Josh Blanford, Cleveland Dietz, Andy Lane, and Kyle Purdue, coach Wayne Babbitt, and the principal of Martinsville High School.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 26

House Concurrent Resolution 26, sponsored by Senators Miller and Waltz:

A CONCURRENT RESOLUTION to congratulate Alexandra Miller as a recipient of a 2005 Prudential Spirit of Community Award which honors top youth volunteers in the State of Indiana.

Whereas, Alexandra Miller, an esteemed resident of Greenwood, Indiana and an eight-grade student at Center Grove Middle School North, has achieved national recognition for exemplary volunteer

service by receiving a 2005 Prudential Spirit of Community Award;

Whereas, This prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities;

Whereas, Alexandra Miller was born with a heart defect and has endured two open-heart surgeries and many other heart procedures earned this award by giving generously of her time and energy to raise money and speak out for heart research;

Whereas, Alexandra Miller's family became involved with the American Heart Association soon after she was born;

Whereas, Alexandra Miller began speaking to groups about heart research and education as soon as she was old enough to do so;

Whereas, Alexandra Miller met her goal of \$13,000 in the 2003 "American Heart Walk," doubling her previous year's fund-raising total and making her the top fund-raiser in the Indianapolis area as well as one of the top fifteen fund-raisers in the United States; and

Whereas, The success of the State of Indiana, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Alexandra Miller who use their considerable talents and resources to serve others: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana House of Representatives do congratulate and honor Alexandra Miller as a recipient of a Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership, and community spirit, and extends best wishes for her continued success and happiness.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this Resolution to the parents of Alexandra Miller and to Alexandra Miller.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

RESOLUTIONS ON SECOND READING

Engrossed House Joint Resolution 4

Senator Steele called up House Joint Resolution 4 for second reading. The resolution was read a second time by title, and there being no amendments was ordered engrossed.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1039

Senator Heinold called up Engrossed House Bill 1039 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1039-1)

Madam President: I move that Engrossed House Bill 1039 be amended to read as follows:

Page 2, line 32, delete "court established or".
(Reference is to EHB 1039 as printed March 18, 2005.)

HEINOLD

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1052

Senator M. Young called up Engrossed House Bill 1052 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1099

Senator Merritt called up Engrossed House Bill 1099 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1200

Senator Lawson called up Engrossed House Bill 1200 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1200-1)

Madam President: I move that Engrossed House Bill 1200 be amended to read as follows:

Page 3, line 14, after "(9)" insert "**or ten (10)**".
Page 3, line 19, after "(4)" insert "**or five (5)**".
(Reference is to EHB 1200 as printed March 15, 2005.)

LAWSON

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1240

Senator Miller called up Engrossed House Bill 1240 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1394

Senator M. Young called up Engrossed House Bill 1394 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1398

Senator Landske called up Engrossed House Bill 1398 for

second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 1398-1)

Madam President: I move that Engrossed House Bill 1398 be amended to read as follows:

Page 111, delete lines 22 through 42.
Delete page 112.
Page 113, delete lines 1 through 38.
Re-number all SECTIONS consecutively.
(Reference is to EHB 1398 as printed March 11, 2005.)

LANDSKE

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1431

Senator Weatherwax called up Engrossed House Bill 1431 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1488

Senator Miller called up Engrossed House Bill 1488 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1553

Senator Miller called up Engrossed House Bill 1553 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1553-1)

Madam President: I move that Engrossed House Bill 1553 be amended to read as follows:

Page 1, line 5, delete "IC 5-22-1-2" and insert "IC 5-22-1-2, AS AMENDED BY HEA 1288-2005, SECTION 82,".
Page 2, line 3, delete "IC 20-14-3-14(b)." and insert "IC 36-12-3-16(b)".
Page 4, line 6, delete "IC 16-18-2-40.1" and insert "IC 16-18-2-37.5".
Page 4, line 8, delete "Sec. 40.1." and insert "**Sec. 37.5.**".
(Reference is to EHB 1553 as printed March 18, 2005.)

MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1600

Senator Lubbers called up Engrossed House Bill 1600 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1794

Senator Lubbers called up Engrossed House Bill 1794 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1032

Senator Heinold called up Engrossed House Bill 1032 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 294: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1540

Senator Long called up Engrossed House Bill 1540 for third reading:

A BILL FOR AN ACT concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 295: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 49 and 50 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 26 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 24 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 21 and 41 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator R. Young be added as cosponsor of Engrossed House Bill 1032.

HEINOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Lanane and Broden be added as cosponsors of Engrossed House Bill 1033.

GARD

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, March 22, 2005.

GARTON

Motion prevailed.

The Senate adjourned at 2:36 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate